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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/600,299	06/20/2003	Peter Jahn	Bayer 10,244.1-WCG

27386  
WILLIAM GERSTENZANG  
NORRIS, MCLAUGHLIN & MARCUS, P.A.  
220 EAST 42ND STREET, 30TH FLOOR  
NEW YORK, NY 10017

CONFIRMATION NO. 7718

## FORMALITIES LETTER

10000000010807029

Date Mailed: 09/03/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

- ☐ \$ 65.00 for small entity  
☒ \$130.00 for other than small entity.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.


ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By

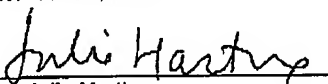
  
William C. Gerstenzang  
Reg. No. 27,552

WCG/jh  
Encs. - executed Declaration

220 East 42nd Street - 30th Floor  
New York, New York 10017  
(212) 808-0700

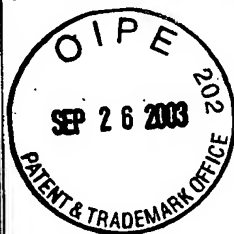
I hereby certify that this correspondence is being transmitted via facsimile, no. 703-746-4060 to the United States Patent and Trademark Office, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 26, 2003.

By

  
Julie Harting

Date September 26, 2003



**FAX COVER SHEET**

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September 26, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**MAIL STOP MISSING PARTS**

**FAX NUMBER 703-746-4060**

**TOTAL PAGES 6**  
**(Plus Fax Cover)**

<b>SERIAL NO.</b>	10/600,299
<b>APPLICANT</b>	Peter JÄHN et al
<b>FILED</b>	June 20, 2003
<b>FOR</b>	DIAPHRAGM PUMP
<b>ATTORNEY DOCKET NO.</b>	Bayer 10244.1-WCG

**Comments: Attached are**

1. Response to Notice to File Missing Parts - (2 pages) **CHARGE DEPOSIT ACCOUNT**
2. copy of PTO Notification of Missing Requirements (1 page)
3. Executed Declaration (3 pages)

Respectfully submitted,

William C. Gerstenzang  
Reg. No. 27,552



VIA FACSIMILE: 703-746-4060  
Date: September 26, 2003



Attorney Docket No.: Bayer 10244.1-WCG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Peter JÄHN et al  
Serial No. : 10/600,299  
Filed : June 20, 2003  
For : DIAPHRAGM PUMP  
Art Unit : To Be Assigned  
Examiner : To Be Assigned

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September 26, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION

This is in response to the Notice to File Missing Parts dated September 3, 2003, in the above-identified application. A copy of said Notice is attached hereto.

It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☒ other than a small entity